

## **TENTATIVE RULINGS for CIVIL LAW and MOTION**

### **May 13, 2010**

Pursuant to Yolo County Local Rules, the following tentative rulings will become the order of the court unless, by 4:00 p.m. on the court day before the hearing, a party requests a hearing and notifies other counsel of the hearing. To request a hearing, you must contact the clerk of the department where the hearing is to be held. Copies of the tentative rulings will be posted at the entrance to the courtroom and on the Yolo Courts Website, at [www.yolo.courts.ca.gov](http://www.yolo.courts.ca.gov). If you are scheduled to appear and there is no tentative ruling in your case, you should appear as scheduled.

Telephone number for the clerk in Department Fifteen: (530) 406-6941

#### **TENTATIVE RULING**

**Case:** **Gomez v. Toyota Motor Sales, U.S.A., Inc. et al.**  
**Case No. CV CV 10-356**

**Hearing Date:** **May 13, 2010** **Department Fifteen** **9:00 a.m.**

Defendant's *ex parte* application for an order staying the entire action pending determination of the coordination petition is **DENIED**. (Code Civ. Proc., § 404.5; Cal. Rules of Court, rule 3.515.) The request for a stay is required to be filed with the Chair of the Judicial Council.

If no hearing is requested, this tentative ruling is effective immediately. No formal order pursuant to California Rules of Court, rule 3.1312 or further notice is required.

#### **TENTATIVE RULING**

**Case:** **Hatfield v. Fleetwood Enterprises, Inc. et al.**  
**And Related Cross-Actions**  
**Case No. CV CV 08-331**

**Hearing Date:** **May 13, 2010** **Department Fifteen** **9:00 a.m.**

Counsel from The Chernay Law Firm, P.C. is directed to appear to report on the status of the bankruptcy action, including the status of the litigation proposal referenced in the status report filed on October 15, 2009.

The Court is inclined to deny the plaintiffs' motion to sever the cross-complaints against Fleetwood Enterprises, Inc. and Fleetwood Homes of California, Inc. because the plaintiffs failed to show that severance is necessary at this time to further convenience, avoid prejudice, or promote expedition and economy. (Code Civ. Proc., § 1048, subd. (b).)

If no hearing is requested, this tentative ruling is effective immediately. No formal order pursuant to California Rules of Court, rule 3.1312 or further notice is required.

**TENTATIVE RULING**

**Case:**                    **In re Trinidad Murillo**  
                              **Case No. CV PT 10-229**

**Hearing Date:**      **May 13, 2010**                    **Department Fifteen**                    **9:00 a.m.**

---

J.G. Wentworth Originations, LLC's petition to approve transfer of structured settlement payments is **DENIED**. In October, 2009, the Governor signed Senate Bill 510 which made various changes to the laws governing transfers of structured settlement payments. These changes became effective on January 1, 2010.

The written disclosure statement that the petitioner provided to Trinidad Murillo (Exhibit B to the petition) does not contain all of the advisements required under Insurance Code section 10136, subdivision (b). The Purchase Contract (Exhibit A to the petition) does not contain the statement required under Insurance Code section 10136, subdivision (c)(1).

On April 29, 2010, the petitioner requested a continuance of the hearing on its petition to file supplemental pleadings. No supplemental papers have been filed.

If no hearing is requested, this tentative ruling is effective immediately. No formal order pursuant to California Rules of Court, rule 3.1312 or further notice is required.